

REMARKS

Claims 15, 16, 18, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Number 7,185,283 (“Takahashi”) in view of U.S. Patent Publication Number 2002/003719 (“Goto”). Claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Goto and further in view of U.S. Patent Number 6,854,127 (“Kanemitsu”). Applicants traverse these rejections for at least the following reasons.

As a preliminary matter, Applicants thank Examiner Lin for the thoughtful courtesies and kind treatment afforded to Applicants’ representative, Babak Akhlaghi, during the telephonic interview conducted on June 11, 2009. This response reflects the substance of the interview.

During the interview, Applicants’ representative provided context for the instant application. In particular, Applicants’ representative described that it may be convenient for a user to watch a program on a mobile terminal (e.g., a mobile phone); however, it may be more convenient for the user to watch the same program on television installed in the user’s home. As such, the inventors of the instant application studied a type of usage that a user is able to watch a program in his/her spare time (e.g. travel time and so on) on a mobile terminal, and that a user is able to watch such a program, which is recorded into a recorder/player installed on the user’s television after coming home.

However, there is a problem that it is not user-friendly for a user to search an appropriate program from a plurality of the programs, which are recorded into a recorder/player. *See e.g.*, Katagishi et al. (US 2004/0107447) at paragraph [0044]. In order to solve such a problem, the instant application describes that when a recording instruction is inputted by a user while a user is watching the video information included into a broadcast signal on a mobile terminal, a part of the video information is extracted as program identification image information. The extracted

program identification image information, which is associated with the program information, is stored in the mobile terminal. Thereafter, when the program identification image information, which is displayed on a display unit, is selected by a user, a reproduction instruction is transmitted to the external recorder/player along with the program information associated with the program identification image information.

Thus, according to the instant application, it is possible for a user to easily select a program, which a user was watching on a mobile terminal, by storing and displaying a program identification image information while watching the program information on a mobile terminal. Then, when the program identification image information is selected, the program information associated with such program identification image information is transmitted to the external recorder/player along with a reproduction instruction. Therefore, it is easier for a user to select and watch a program which a user prefers without searching an appropriate program from a plurality of the programs, which are recorded into a recorder/player. *See e.g.*, Katagishi at paragraphs [0029, 0032, and 0044].

During the interview, Applicants' representative discussed the possibility of amending claim 15 to recite "a mobile terminal capable of communicating with an external recorder/player and controlling a reproduction of video information of a program stored in the external recorder/player." The Examiner agreed that the cited prior art does not appear to describe or suggest such a feature. *See e.g.*, Examiner Interview Summary at page 2. On reliance on this indication, Applicants have amended claim 15 to include the above-recited feature.

For at least the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 15.

Dependent Claims

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Because claim 15 is allowable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also allowable. In addition, it is respectfully submitted that the dependent claims are allowable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Therefore, it is respectfully requested that the rejection under §§ 102/103 be withdrawn.

Conclusion

Accordingly, it is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


Babak Akhlaghi
Limited Recognition No. L0250

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 BA:MaM
Facsimile: 202.756.8087
Date: June 19, 2009

**Please recognize our Customer No. 20277
as our correspondence address.**